

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CAPRI SUN GMBH,

Plaintiff,

19 Civ. 1422 (PAE)

-v-

ORDER

AMERICAN BEVERAGE CORPORATION,

Defendant.

PAUL A. ENGELMAYER, District Judge:

On review of the record following yesterday's hearing, the Court is left unclear as to whether the pouch subject to the litigation in *Deutsche SiSi-Werke Betriebs GmbH v. Faribault Foods, Inc.*, No. 15 Civ. 9750 (KMW) (S.D.N.Y.) (the "Prior Litigation") is identical to the Licensed Pouches manufactured and sold pursuant to the Settlement and License Agreement with which the Prior Litigation concluded. The Court directs the parties, by March 21, 2022, at 5 p.m. to file a joint letter identifying the part(s) of the record that answer(s) this question.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

Dated: March 18, 2022  
New York, New York